THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 21273 of 1997

Dated: 05-12-2006

Between:

Desaboyina Narasimham

..... PETITIONER

AND

The District Collector,
Krishna at Chilakalapudi and two others.

.....RESPONDENTS

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO: 21273 of 1997

O R D E R:

This writ petition is filed seeking a declaration that the alleged action of the respondents in not issuing the ryotwari passbooks in favour of the petitioner after correcting the entry in the revenue records over an extent of Ac.21.32 cents situated in Sy.No.668 of Pedavaram village is arbitrary and illegal.

Though the petitioner claimed title to the land in question, in the counter affidavit filed by the second respondent-Mandal revenue Officer, Nandigam, dated 06-04-1005, it is stated that the land in question is a poramboke-Government land and the provisions of the Andhra Pradesh Record of Rights in Land Pattadar Passbook Act, 1971 are not applicable. It is also alleged that the petitioner had sold away the land in question and the purchasers are continuing in possession as on today.

In the light of the pleadings, it is clear that the matter involves several disputed questions of fact, which cannot be gone into and decided by this court. If the petitioner is aggrieved, he ought to have worked out the appropriate common law remedy as available under law.

Accordingly, granting leave and liberty, the writ petition is dismissed. No costs.

G. ROHINI, J

Dated: 05-12-2006
KLP